

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Ginette Gilbert
Signature

Ginette Gilbert
name of person signing certification

December 2, 2002
Date

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE FEE
FOR THIS PAPER TO DEPOSIT ACCOUNT No. 23-0975

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 8019
Takeru FUJII et al. : Docket No. 2001-0019A
Serial No. 09/757,655 : Group Art Unit 1648
Filed January 11, 2001 : Examiner S. Brown
A PEPTIDE HAVING AN AFFINITY FOR :
gp120

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents,
Washington, D.C. 20231

Sir:

Applicants have filed this Supplemental Paper to note an error in Applicants' Response to Restriction Requirement dated November 26, 2002.

Applicants mistakenly elected the amino acid sequence combination of "H-Asn-Val-Lys-Ala-Gly-R" of SEQ ID No: 1 as set forth as No. 21 of Table 7 on page 32 of the specification.

Applicants wish to correct their election by the filing of this paper.

Thus, in response to the Restriction Requirement dated November 1, 2002, Applicants hereby change their previous election and now elect the amino acid sequence combination of "H-Asp-Val-Lys-Ala-Gly-R" of SEQ ID No. 1 as set forth as No. 1 of Table 1 on page 16 of the specification. In other words, Applicants now request the Examiner to examine the amino acid sequence combination of No. 1 of Table 1 and not No. 21 of Table 7.

It is noted that this election is made by the Applicants while retaining their right to file a Divisional Application directed to the non-elected subject matter with the protection afforded by 35 USC § 121.

The claims, directed to the non-elected subject matter, remain in the application. It is requested that they be permitted to remain in a dormant condition pending the filing of a Divisional application.

The Examiner accordingly is requested to proceed with an examination on the merits.

Respectfully submitted,

Takeru FUJII et al.

By: 

Lee Cheng
Registration No. 40,949
Attorney for Applicants

LC/gtg
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
December 2, 2002

WENDEROTH, LIND & PONACK, L.L.P.

2033 K Street, N.W., Suite 800

Washington, D.C. 20006

Phone: (202) 721-8200

Facsimile: (202) 721-8250

FAX TRANSMITTAL COVER SHEETDate: 12-2-02To: Examiner Stacy BrownCompany Name: USPTOFax Number: 703-746-3113From: Ginette for Lee ChenMessage: Supplemental Restriction Requirement
for 09/1175.7, 655 Fujii et al.Total Number of Pages Transmitted, Including Cover Sheet: 3**CONFIDENTIALITY**

The documents transmitted herewith may contain confidential and/or privileged information intended only for the use of the person or entity to whom addressed. If you are not the intended recipient, or an agent of the recipient responsible for delivering it to the intended recipient, then you have received this transmission in error and are asked to promptly advise us by telephone or fax, and return the document to us by mail. Unauthorized copying, distribution, disclosure or other use of this information by anyone other than the intended recipient or their designee is prohibited.

If there are any problems with this transmission
or if you have not received all of the pages
please call (202) 721-8200

Fax Operator: _____